



United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

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By ECF

Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: *Mohammad Salameh v. United States*, 16 Civ. 05184 (LAK), 93 Cr. 180 (LAK)
Eyad Ismoil v. United States, 16 Civ. 5658 (LAK), 93 Cr. 180 (LAK)
Nidal Ayyad v. United States, 16 Civ. 4346 (LAK), 93 Cr. 180 (LAK)
Ahmad Mohammad Ajaj v. United States, 16 Civ. 5031 (LAK), 93 Cr. 180 (LAK)

Dear Judge Kaplan:

The petitioners in the above-captioned matters, Mohammed Salameh, Eyad Ismoil, Nidal Ayyad, and Ahmad Mohammad Ajaj, each filed motions under 28 U.S.C. § 2255 to vacate, set aside, or correct their convictions. On or about August 23, 2018 and September 13, 2018, the Court entered orders granting the Government's requests to stay proceedings in connection with these motions pending the Second Circuit's decision in *United States v. Barrett*, 14-2641-cr.

The Government respectfully writes to inform this Court that the Second Circuit issued an opinion in *United States v Barrett*, — F.3d —, 2018 WL 4288566 (2d Cir. Sep. 10, 2018), which addresses arguments raised by the petitioners. The Government requests that the Court set a briefing schedule in light of this decision.

Respectfully submitted,

GEOFFREY S. BERMAN
United States Attorney

By: /s/
 Elinor Tarlow / Daniel Wolf
 Julianna Murray / Ryan Finkel
 Assistant United States Attorneys
 Tel: 212-637-1036 / 2337 / 2314 / 6612

Memorandum Endorsement

Salameh v. United States, 16-cv-5184 (LAK) [93-cr-180 (LAK)]
Ismoil v. United States, 16-cv-5658 (LAK) [93-cr-180 (LAK)]
Ayyad v. United States, 16-cv-4346 (LAK) [93-cr-180 (LAK)]
Ajaj v. United States, 16-cv-5031 (LAK) [93-cr-180 (LAK)]

The application is denied. The actions are stayed pending the resolution and issuance of a mandate in *United States v. Barrett*, 14-2641-cr.

SO ORDERED.

Dated: November 1, 2018


Lewis A. Kaplan
United States District Judge